

Schiller & Knapp, LLP
950 New Loudon Road
Latham, New York 12110
ws 3360

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

ditech, LLC,

Debtor

**NOTICE OF MOTION FOR
RELIEF FROM AUTOMATIC STAY**

Case No. 12-12020-mg
Chapter 11
HON. MARTIN GLENN

PLEASE TAKE NOTICE, that upon the annexed Request for Relief of Schiller & Knapp, LLP, attorneys for First Niagara Bank, N.A. successor by merger to New Alliance Bank (hereinafter "FNB") the undersigned respectfully moves this Court for an order, pursuant to **11 U.S.C. Section 362(d)(1)** modifying the automatic stay herein to permit FNB, its servicing agent, nominees, successors and/or its assigns to proceed with an action to foreclose on the property commonly known as 234 Milton Avenue, West Haven, CT 06516, together with FNB's attorneys fees and costs and such other and further relief as to the Court may seem just and proper.

PLEASE TAKE FURTHER NOTICE, that this motion shall be returnable on the 29th day of January at 10:00 a.m. o'clock in the forenoon of that day, before the Hon. Martin Glenn, or as soon thereafter as counsel can be heard, at 1 Bowling Green, 5th Floor, Room

501, New York, NY.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, must comply with the Federal Rules of Bankruptcy Procedure, shall be filed with the Court and served upon and received by Schiller & Knapp, LLP, attorneys for FNB, at their offices located at 950 New Loudon Road, Latham, New York 12110, Attention: William B. Schiller, Esq., so that they are received no later than three (3) days before the hearing on the Motion.

PLEASE TAKE FURTHER NOTICE, that the hearing may be adjourned from time to time without further notice other than the announcement of such adjournments in open Court.

Dated: December 27, 2012

/s/ William B Schiller
WILLIAM B. SCHILLER, ESQ.
Schiller & Knapp, LLP
Attorneys for First Niagara Bank, N.A.
950 New Loudon Road
Latham, New York 12110
(518) 786-9069

To: ditech, LLC
Debtor
1100 Virginia Drive
Fort Washington, PA 19034

Larren M. Nashelsky, Esq.
Lorenzo Marinuzzi, Esq.
Morrison & Foerster, LLP
1290 Avenue of the Americas
New York 10104

Office of the United States Trustee
33 Whitehall Street, 21st Street
New York, New York 10004